



**CITY COUNCIL  
ATLANTA, GEORGIA**

**ORDINANCE**

01-0-0489

**BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON FEBRUARY 22, 2001**

156 Electric Avenue, NW	03
963 Fern Avenue, SE	02
1847 Lakewood Avenue, SE	01
1861 Lakewood Avenue, SE	01
1005 Martin L. King Jr., Drive, NW	03
1014 McDaniel Street, SW	04
456 Newport Street, NW	03
699 Paines Avenue, NW	03
714 Simpson Street, NW	03
121 Thayer Avenue, SE	01
618 Tyler Street, NW	03

**WHEREAS**, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

**WHEREAS**, on February 22, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

**WHEREAS**, February 22, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

**WHEREAS**, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

**WHEREAS**, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

**WHEREAS**, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**SECTION 1:** That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
156 Electric Avenue, NW	03
963 Fern Avenue, SE	02
1847 Lakewood Avenue, SE	01
1861 Lakewood Avenue, SE	01
1005 Martin L. King Jr., Drive, NW	03
1014 McDaniel Street, SW	04
456 Newport Street, NW	03
699 Paines Avenue, NW	03
714 Simpson Street, NW	03
121 Thayer Avenue, SE	01
618 Tyler Street, NW	03

**SECTION 2:** That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board
- (4) File a lien against the real property on which the structures(s) are attached  
In an amount necessary to recover the costs incurred by the City of Atlanta

**SECTION 3:** That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

*Phanda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

MAY 07, 2001  
MAY 15, 2001

RCS# 2854  
5/07/01  
7:15 PM

Atlanta City Council

Regular Session

MULTIPLE

01-O-0488; 01-O-0489; 01-O-0490

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	NV Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
NV Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

01-0-0489

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/  
HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO  
DIRECT THE DEPARTMENT OF PLANNING,  
DEVELOPMENT AND NEIGHBORHOOD CONSERVATION  
(BUREAU OF NEIGHBORHOOD CONSERVATION) TO  
DEMOLISH AND CLEAN THE PREMISES OF VARIOUS  
STRUCTURES, PURSUANT TO ARTICLE III OF THE  
ATLANTA HOUSING CODE AND A HEARING  
CONDUCTED BY THE IN REM REVIEW BOARD ON  
FEBRUARY 22, 2001

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963 Fern Avenue, SE 02  
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121 Thayer Avenue, SE 01  
618 Tyler Street, NW 02

ADOPTED BY  
MAY 0 7 2001

COUNCIL

- ☒ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred 4/2/01

Referred To:  
Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

CD / 14R

3/28/01

Chair

Referred to

Committee

CD / 14R

Date

4/11/01

Chair

Referred to

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Adm. Mattie Johnson

Wanda Johnson

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
MAY 7 2001

ATLANTA CITY COUNCIL

CERTIFIED  
MAY 0 7 2001

Richard D. Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

MAY 15 2001

Adm. Mattie Johnson